

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte THOMAS J. SULLIVAN, RICHARD J. WINDISH,
DORR H. LEWRIGHT, JOSEPH M. TRATTNER, SUZANNE K. ARENSON,
GEORGE COLUNGA, KATHY S. HACKETT, and JOICA C. CAMPBELL

Application No. 09/385,489

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on June 9, 2003. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

On April 9, 2002, an examiner's answer (Paper No. 15) was mailed by the examiner. On page 3 of the examiner's answer, regarding the rejections to the claims, the examiner stated that "Claims 1-94 have been examined." Statements of the basis of the grounds of rejection should be included in the answer. A review

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of the file reveals that the examiner has not supplied the basis of grounds of rejection nor did the examiner incorporate in the answer their statements of the basis of the grounds of rejection by reference to the final rejection or a single other action on which it is based. Manual of Patent Examining Procedure (MPEP) § 1208 (8th ed., August 2001). Before further review of this application, the examiner must provide the statement of the basis of the grounds of rejection in the examiner's answer mailed January 24, 2003. Appropriate correction is required.

Accordingly, it is


ORDERED that this application be returned to the examiner for: 1) action on the above noted deficiency in the examiner's answer; and 2) for such further action as may be appropriate.

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It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the status of this appeal (i.e., abandonment, issue, reopening prosecution).

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By: _____


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